

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**NETLIST, INC.**

**v.**

**MICRON TECHNOLOGY, INC.,  
MICRON SEMICONDUCTOR  
PRODUCTS, INC., and MICRON  
TECHNOLOGY TEXAS LLC**

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**CIVIL ACTION NO. 2:22-CV-00294-JRG**

**MINUTES FOR JURY TRIAL DAY NO. 2  
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP  
May 21, 2024**

**OPEN: 08:27 AM**

**ADJOURN: 06:34 PM**

ATTORNEYS FOR PLAINTIFF: See attached

ATTORNEYS FOR DEFENDANTS: See attached

LAW CLERKS: Dylan Freeman  
Brendan McLaughlin  
Amy Wann

COURT REPORTER: Shawn McRoberts, RMR, CRR

COURTROOM DEPUTY: Andrea Brunson, CP

<b>TIME</b>	<b>MINUTE ENTRY</b>
08:27 AM	Court opened.
08:28 AM	Exhibits used prior day read into the record.
08:30 AM	Jury entered the courtroom.
08:31 AM	Continuation Plaintiff's case-in-chief:
08:31 AM	Witness sworn.
08:32 AM	Direct examination of Dr. William Mangione-Smith by Mr. Rowles.
10:04 AM	Bench conference.
10:05 AM	Bench conference concluded.
10:05 AM	Continuation direct examination of Dr. William Mangione-Smith by Mr. Rowles.
10:20 AM	Bench conference.
10:21 AM	Bench conference concluded.
10:21 AM	Jury recessed for break.
10:22 AM	Recess.
10:42 AM	Court reconvened.
10:42 AM	Jury returned to courtroom.

TIME	MINUTE ENTRY
10:43 AM	<b>Courtroom sealed.</b>
10:44 AM	Continuation direct examination of Dr. William Mangione-Smith by Mr. Rowles.
10:50 AM	Bench conference.
10:51 AM	Bench conference concluded.
10:51 AM	Objection raised.
10:51 AM	Jury retired to jury room.
10:52 AM	Court heard argument outside presence of the jury.
10:58 AM	Court made rulings as set forth in the record.
11:02 AM	Jury returned to courtroom.
11:03 AM	Court directed jury to disregard a certain portion of Dr. William Mangione-Smith's testimony.
11:04 AM	Continuation direct examination of Dr. William Mangione-Smith by Mr. Rowles.
11:09 AM	<b>Courtroom unsealed.</b>
11:10 AM	Continuation direct examination of Dr. William Mangione-Smith by Mr. Rowles.
11:24 AM	Cross examination of Dr. William Mangione-Smith by Mr. Mann.
12:01 PM	Jury recessed for lunch break.
12:02 PM	Recess.
01:02 PM	Court reconvened.
01:02 PM	Court made rulings as set forth in the record re: surviving deposition dispute re: witness, Mr. Robert Beal.
01:03 PM	Jury returned to courtroom.
01:04 PM	Continuation cross examination of Dr. William Mangione-Smith by Mr. Mann.
01:06 PM	Bench conference.
01:11 PM	Bench conference concluded.
01:11 PM	Continuation cross examination of Dr. William Mangione-Smith by Mr. Mann.
02:02 PM	Redirect examination of Dr. William Mangione-Smith by Mr. Rowles.
02:11 PM	Bench conference.
02:14 PM	Bench conference concluded.
02:14 PM	Continuation redirect examination of Dr. William Mangione-Smith by Mr. Rowles.
02:31 PM	Recross examination of Dr. William Mangione-Smith by Mr. Mann.
02:36 PM	Completion of testimony of Dr. William Mangione-Smith.
02:36 PM	Ms. Carson introduced the video designation of Mr. Frank Ross.
02:55 PM	Video designation of Mr. Frank Ross concluded.
02:55 PM	Ms. Carson introduced the video designation of Mr. Scott Smith.
02:56 PM	Court provided explanation to the Jury re: Mr. Smith testifying by video designation and later appearing live to testify during the trial.
02:57 PM	Presentation of video designation of Mr. Scott Smith.
03:01 PM	Video designation of Mr. Scott Smith concluded.
03:02 PM	Jury recessed for break.
03:02 PM	Recess.
03:25 PM	Court reconvened.
03:26 PM	Jury returned to courtroom.
03:26 PM	Mr. Rowles introduced the video designation of Mr. Garret Davey.
03:27 PM	<b>Courtroom sealed.</b>
03:28 PM	Presentation of video designation of Mr. Garret Davey.

TIME	MINUTE ENTRY
03:37 PM	Video designation of Mr. Garret Davey concluded.
03:37 PM	<b>Courtroom unsealed.</b>
03:38 PM	Mr. Rowles introduced the video designation of Mr. Boe Holbrook.
03:44 PM	Video designation of Mr. Boe Holbrook concluded.
03:44 PM	Mr. Rowles introduced the video designation of Mr. Scott Cyr.
03:57 PM	Video designation of Mr. Scott Cyr concluded.
03:57 PM	Mr. Rowles introduced the video designation of Mr. Robert Beal.
04:01 PM	Video designation of Mr. Robert Beal concluded.
04:01 PM	Mr. Rowles introduced the video designation of Mr. Tyler Morton.
04:06 PM	Video designation of Mr. Tyler Morton concluded.
04:07 PM	Witness sworn.
04:07 PM	Direct examination of Mr. David Kennedy by Ms. Carson.
04:18 PM	Bench conference.
04:19 PM	Bench conference concluded.
04:19 PM	Continuation direct examination of Mr. David Kennedy by Ms. Carson.
05:18 PM	Jury recessed for break.
05:19 PM	Court directed counsel to meet and confer and jointly submit an updated proposed final jury instruction and jury verdict form by 4:00 PM tomorrow in Word format and electronically transmitted to Court staff.
05:20 PM	Recess.
05:29 PM	Court reconvened.
05:29 PM	Jury returned to courtroom.
05:30 PM	Cross examination of Mr. David Kennedy by Mr. Enzminger.
06:06 PM	Bench conference.
06:07 PM	Bench conference concluded.
06:07 PM	Continuation cross examination of Mr. David Kennedy by Mr. Enzminger.
06:11 PM	<b>Courtroom sealed.</b>
06:12 PM	Continuation cross examination of Mr. David Kennedy by Mr. Enzminger.
06:21 PM	<b>Courtroom unsealed.</b>
06:21 PM	Continuation cross examination of Mr. David Kennedy by Mr. Enzminger.
06:25 PM	Completion of testimony of Mr. David Kennedy.
06:25 PM	Court provided instructions to the Jury.
06:26 PM	Jury recessed for the day until 8:30 AM tomorrow morning.
06:34 PM	Court adjourned.